

Nederlandsch Octroibureau

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Your ref. -
Our ref. BO 42447 RJ/MM

The Hague, 24 April 2001

Re: International Patent Application PCT/NL/00/00228
Applicant: SCA Hygiene Products Zeist B.V. et al.

Dear Sirs,

In response to the Written Opinion dated 7 February 2001, the following is observed.

The finding of non-unity of invention for the claimed subject matter cannot be agreed to. The finding is based on the assumption that part of the claimed subject matter would be known, in particular from US 4,685,909 (D1). This assumption is believed to be incorrect.

What is claimed is a superabsorbent material comprising a non-acidic compound selected from acid anhydrides, lactides, lactones and hydrolysable esters. These compounds have a technical relationship in that they share the technical features of being non-acidic (i.e. not having hydrogen atoms that, under practical conditions, can be removed as protons) and at the same time being capable of neutralising alkaline materials. The use of any such compounds as a component of superabsorbent materials was not previously known.

D1 mentions pH control agents, but these are acidic compounds, as correctly stated in the Written Opinion. Therefore, they do not qualify for the compounds according to the present claims. The polyacrylic acid and polymaleic acid mentioned in col. 8 of D1 are certainly acidic. However, also the polyacrylates and polymaleates mentioned therein should be considered as the acids or as their partly neutralised salts (see col. 8, lines 19-24), and by no means as the (hydrolysable) esters. Also the phosphorylated cellulose mentioned in col. 8, lines 42-53 is acidic, in that the phosphoryl unit has three acidic positions, only one of which is usually esterified with the cellulose.

Thus, the special technical features as a whole are distinguished over the prior art, and therefore provide novelty and at the same time unity of invention.

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The favourable opinion on novelty and inventive step of claims 2, 3 and 6 is acknowledged.

Should any objection as to novelty and inventive step of the remaining claims be sustained, it is requested that a further opinion for comment or amendment be given before the issuance of the International Preliminary Report.

The agent,



R. Jorritsma